



Socializing Under the Stars

Posted by **Pierluigi Oliverio** on Monday, May 05, 2008

In a prior column, I wrote about taking advantage of the great San Jose weather by having events at City Hall Plaza or at the Circle of Palms. At last week's city council meeting, there was an item that pertained to sidewalk cafes at night. I support outside settings and made a motion at the meeting proposing to extend hours at sidewalk cafes until 2 a.m. A majority of the council supported the motion.

My background and observations of downtown led me to propose the extension. I graduated from SJSU and lived downtown for ten years. I worked in the restaurant industry as a waiter and bartender for 20 years. I worked nights at restaurants even though I had a full time job during the day after college.

Since being on the council, I have attended many meetings on downtown nightlife chaired by my council colleagues Liccardo and Williams. In addition, I spent many evenings observing downtown on foot—many times with police, and alone at other times, mixing in with the crowds (picture "Where's Waldo?").

I believe most of the problems downtown are not caused by patrons, but, rather, people who do not spend money in our establishments and linger around on the streets. They might be kids who should be at home out tagging property, or drug dealers who hang out at fast food restaurants. Every major city has this element, and until we have caning for graffiti or public hanging for drug dealing, it will always be around. Downtown also continues to get negative PR on days like Cinco de Mayo and Fat Tuesday, mostly because of troublemakers from out of town.

I believe sidewalk cafes, with certain restrictions, will work well and enliven the downtown. Having a partitioned area with people just standing around leads to a big fraternity party. However, having tables and chairs that restrict customers to being seated will provide a spacious and relaxed environment. I am sure bar owners would like to allow more people out on the sidewalk area, but that will not be

allowed. And if owners do not follow the rules, the police will have justification to remove the privilege of the sidewalk café.

In addition, limiting the number of people outside reduces noise. Requiring food service is also a good rule. I have been to countless sidewalk cafes locally, nationally and internationally where ordering food is mandatory, and then you have the choice of "hanging out" after eating.

The police will still retain the right to close down problem venues. Having a sidewalk café is a privilege and not a right. Give the proprietors a chance. If customers violate the law by passing a drink to someone out on the sidewalk or to a minor, then they should be punished accordingly. Restaurant occupancy does not change with the sidewalk café. I believe police walking the downtown beat will have an easier time observing behavior outside on the sidewalk instead of having to enter an establishment.

This is a small but important change for a city of 989,000. Please look out for and patronize sidewalk cafes this summer.

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